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Facsimile Transmittal Sheet

DATE: July 30, 2004

PLEASE DELIVER THE FOLLOWING PAGES TO:

NAME: Examiner Alexander H. Spiegler

FAX: 703.872.9306

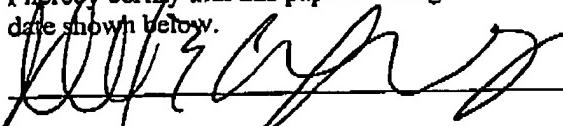
CLIENT/MATTER: 60019630-0038

FROM: David E. Crawford, Jr.

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July 30, 2004

David E. Crawford, Jr.

Date

Type of Paper transmitted: Response to Restriction Requirement

Applicant's Name: Wayne M. Barnes

Serial No. (Control No.): 10/091,784 Examiner: Alexander H. Spiegler

Filing Date March 6, 2002 Art Unit: 1637

Application Title: Mineral Hot Start PCR Method

23149463V-1

Original will NOT be mailed

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Wayne M. Barnes et al.

Application No.: 10/091784

Filed: March 6, 2002

For: MINERAL HOT START PCR METHOD)

) Group Art Unit : 1645

) Examiner:

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BOX NON-FEE AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

RESPONSE TO RESTRICTION REQUIREMENT

Dear Sir:

This Amendment is filed in response to the Office Action of June 30, 2004. Please reconsider the application in view of the amendment and remarks presented below.

ELECTION OF CLAIMS

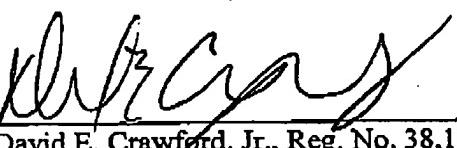
In the Office Action, the examiner requested an election of claims pursuant to a restriction requirement under 35 U.S.C. §121 between Group I claims 1-7 and 14 drawn to kits comprising a source of phosphate ions and a source of magnesium ions, classified in class 422, subclass 61 and Group II claims 8-13 drawn to kits comprising a magnesium salt, classified in class 435, 91.1 or Class 424, subclass 681.

In response, applicant hereby elects examination of Group I claims 1-7 and 14 drawn to kits comprising a source of phosphate ions and a source of magnesium ions for examination on the merits without traverse.

The Commissioner is hereby authorized to withdraw any applicable fees for this submission from Deposit Account 19-3140.

Respectfully submitted,

By:



David E. Crawford, Jr., Reg. No. 38,118
Customer No. 26263

Dated: July 30, 2004

23149296V-1